

DOCKET NO: 266616US2PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
KAZUO INOUE, ET AL. : EXAMINER: THOMAS, J. P.  
SERIAL NO: 10/525,089 :  
FILED: FEBRUARY 23, 2005 : GROUP ART UNIT: 1751  
FOR: ANISOTROPICALLY :  
CONDUCTIVE SHEET, PRODUCTION  
PROCESS THEREOF AND APPLICATION  
THEREOF

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the communication dated June 25, 2007, and further in response to the Restriction Requirement contained therein, Applicants herein provisionally elect the invention of Group I, Claims 1-9 and 13-20 indicated in the Requirement to be "drawn to a conductive sheet, connector and probe."

In addition to making this provisional election, Applicants further respectfully traverse this Requirement for failing to comply with the guidelines set forth in the MPEP that requires establishing a *prima facie* basis for a serious search and examination burden as to examining all of the claims of the application together. In this regard, MPEP § 803 first notes that if no serious search and examination burden as to all the claims in the application exists, the claims are all to be examined together on the merits as follows:

If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.

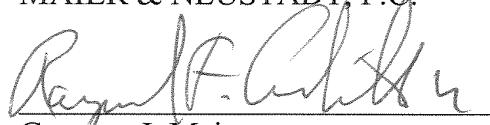
Part II of this section establishes that the only acceptable *prima facie* showing of such a serious search and examination burden is to demonstrate “separate classification, or separate status in the art, or a different field of search as defined in MPEP § 808.02.”

Here, it is clear that no separate classification, no different status in the art or different field of search has even been alleged, much less established, as between Claims 1-9 and 13-20 of Group I and between Claims 10-12 of Group II.

Accordingly, it is respectfully submitted that this Requirement should be withdrawn and that an action on the merits as to all of Claims 1-20 should be forthcoming.

Respectfully submitted,

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